S.B. Civil Writ Petition No.979/1993

Pat Ram & Ors. Vs. State of Rajasthan & Ors.

Date of Order :: 07.04.2005

HON'BLE MR. GOVIND MATHUR,J.

Mr. P.P. Choudhary, for the petitioner.
Mr. Shyam Ladhrecha, for the respondent.

Heard learned counsel for the parties.

The counsel appearing on behalf of the parties are in agreement that the points involved in this petition are covered in favour of the petitioner by the judgment of this Court delivered in the case of Tulsi & Ors. Vs. State of Rajasthan & Ors. reported in WLR 1996 Raj. 617. Accordingly, the prayers made in Clause (a),(b) ,(c) and (d) of prayer clauses are granted in favour of the petitioner.

With regard to prayer Clause (a) of prayer clauses, it is stated by counsel for the petitioner Shri P.P. Choudhary that the same was rejected by this Court in S.B.C.W.P. No.760/2003 decided on 7/10/1996, a petition identical to present one.

It is also stated that a special appeal under Section 18 of the Rajasthan High Court Ordinance against the judgment dated 7.10.1996 is pending before Division Bench of this Court.

In light of the statement made above, this writ petition is allowed to the extend, it relates to prayer made in clause (b), (c) and (d). The prayer made in Clause (a) of the prayer clauses is rejected. A photocopy of the order dated 7.10.1996 as supplied by counsel for the petitioner be taken on record.

No order as to costs.

[Govind Mathur],J.

Praveen